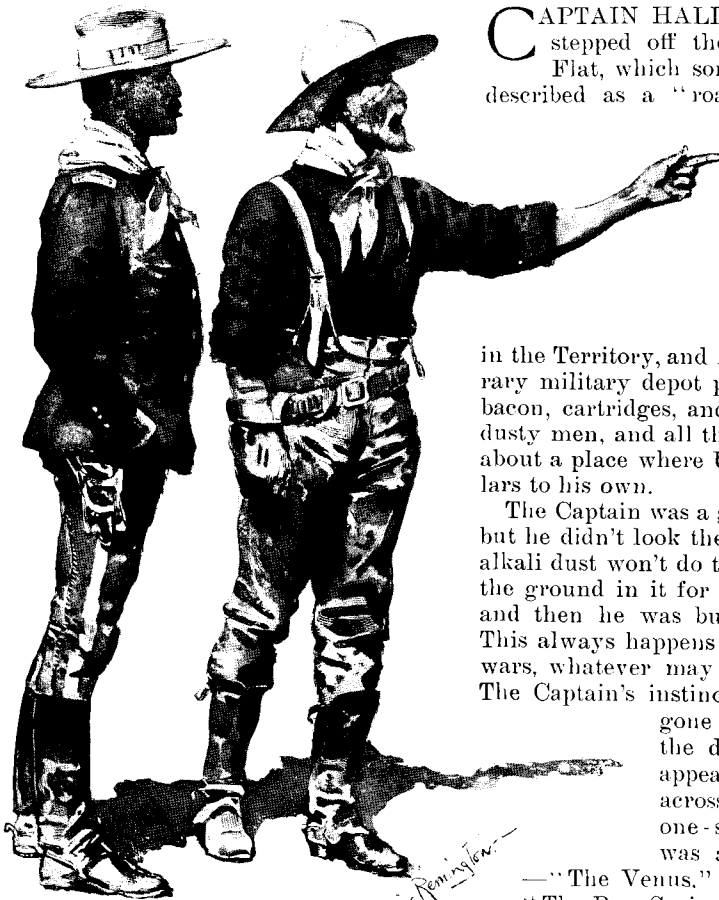


A FAILURE OF JUSTICE

BY FREDERIC REMINGTON



CAPTAIN HALLERAN of the dragoons stepped off the way freight at Alkali Flat, which sort of place has been well described as a "roaring board and canvas city"; only in justice to certain ancient adobe huts I should mention their presence.

He was on government business connected with the Indian war then raging

in the Territory, and Alkali Flat was a temporary military depot piled high with crackers, bacon, cartridges, and swarming with mules, dusty men, and all the turmoil which gathers about a place where Uncle Sam dispenses dollars to his own.

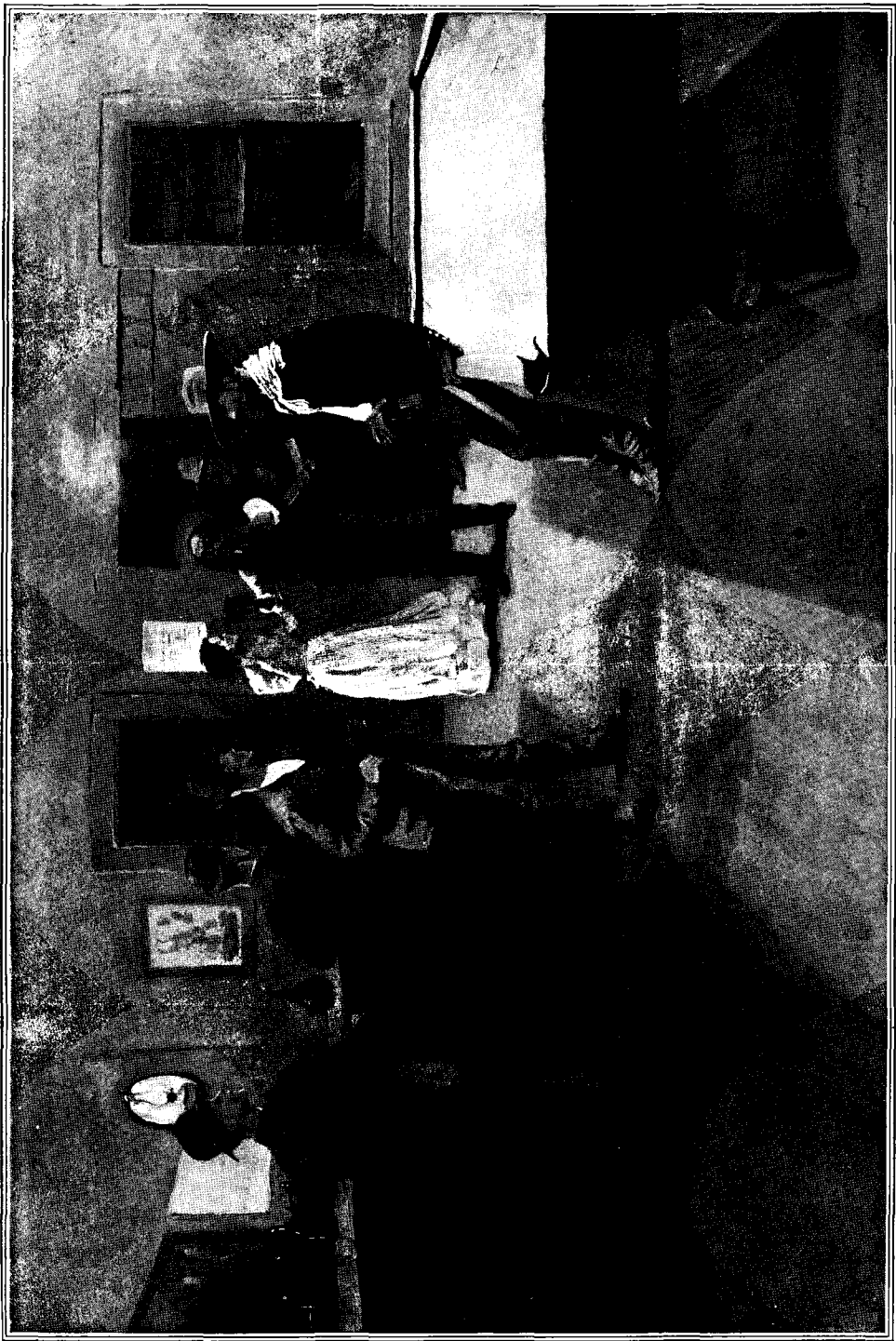
The Captain was a gentleman and a scholar, but he didn't look the part. What sweat and alkali dust won't do to a uniform, sleeping on the ground in it for a month or two will do, and then he was burned like a ripe peach. This always happens to American soldiers in wars, whatever may be the case in Europe.

The Captain's instincts, however, had undergone no change whatever, and the dust-blown plaza did not appeal to him as he sauntered across toward the long row of one-storied shanties. There was a dismal array of signs

—"The Venus," "The Medicine Queen," "The Beer Spring," "The Free and Easy"—but they did not invite the Captain.

There were two or three outfitting stores which relieved the business aspect, but the

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"STOP—STOP THAT, DAN!"

simple bed and board which the Captain wanted was not there, unless with its tin-pan piano or gambling-chip accompaniment.

He met a man who had the local color, and asked if there was not in the town a hotel run somewhat more on the ancient lines.

"Sure there is, Cap, right over to the old woman's," said he, pointing. "They don't have no hell round the old woman's. That's barred in this plaza; and she can cook jes like mother. That's the old woman's over thar whar yu' see the flowers in front and the two green trees—jes nex' the Green Cloth Saloon."

The Captain entered the place, which was a small bar-room with a pool table in the centre, and back of this a dining-room. Behind the bar stood a wholesome-looking woman in a white calico dress, far enough this side of middle age to make "old woman" libellous as applied to her.

"Good-evening, madam," ventured the Captain, feeling that such a woman could not escape matrimony at the Flat.

"Good-evening, Captain. Want some supper?"

"Yes, indeed, and I guess I will take a drink—a cocktail, if you please," as he leaned on the bar.

"Captain, the boys say I am a pretty bad bartender. I'll jes give yu' the stuff, and you can fix it up to your taste. I don't drink this, and so I don't know what men like. It's grub and beds I furnish mostly, but you can't exactly run a hotel without a bar. My customers sort of come in here and tend bar for themselves. Have a lemon-peel, Captain?"

The Captain comprehended, mixed and drank his cocktail, and was ushered into the dining-room. It was half full of picturesque men in their shirt sleeves, or in canvas and dusty boots. They were mostly red-faced, bearded, and spiked with deadly weapons. They were quiet and courteous.

Over his bottle the American is garrulous, but he handles his food with silent earnestness.

Chinamen did the waiting, and there was no noise other than the clatter of weapons, for the three-tined fork must be regarded as such. The Captain fell to with the rest, and found the food an improvement on field rations. He present-

ly asked a neighbor about the hostess—how she managed to compete with the more pretentious resorts. Was not the Flat a hard place for a woman to do business?

"Yes, pard, yu' might say it is rough on some of the ladies what's sportin' in this plaza, but the old woman never has no trouble." And his new acquaintance leaned over and whispered: "She's on the squar', pard; she's a plumb good woman, and this plaza sort of stands for her. She's as solid as a brick church here."

The Captain's friend and he, having wrestled their ration, adjourned to the sidewalk, and the friend continued: "She was wife to an old sergeant up at the post, and he went and died. The boys here wanted a eatin'-joint, bein' tired of the local hash, which I honest can tell yu' was most dam bad; so they gets her down here to ride herd on this bunch of Chinamen top-side. She does pretty well for herself, gives us good grub, and all that, but she gets sort of stampeded at times over the goin's on in this plaza, and the committee has to go out and hush 'em up. Course the boys gets tangled up with their irons, and then they are packed in here, and if the old woman can't nurse 'em back to life, they has to go. There is quite a little bunch of fellers here what she has set up with nights, and they got it put up that she is about the best dam woman on the earth. They sort of stand together when any alcoholic patient gets to yellin' round the old woman's, or some sportin' lady goes after the old woman's hair. About every loose feller round yer has asked the old woman to marry him, which is why she ain't popular with the ladies. She plays 'em all alike, and don't seem to marry much, and this town makes a business of seein' she always lands feet first, so when any one gets to botherin', the committee comes round and runs him off the range. It sure is unhealthy fer any feller to get loaded and go jumpin' sideways round this 'dobie. Sabe?"

The Captain did his military business at the quartermaster's, and then repaired to the old woman's bar-room to smoke and wait for the down freight. She was standing behind the bar, washing the glasses.

A customer came in, and she turned to him.

"Brandy, did yu' say, John?"

"Yes, madam; that's mine."

"I don't know brandy from whiskey, John; you jes smell that bottle."

John put the bottle to his olfactories, and ejaculated, "Try again: that ain't brandy, fer sure."

Madam produced another bottle, which stood the test, and the man poured his portion and passed out.

Alkali Flat was full of soldiers, cowmen, prospectors, who had been chased out of the hills by the Apaches, government freighters who had come in for supplies, and the gamblers and whiskey-sellers who kindly helped them to sandwich a little hilarity into their business trips.

As the evening wore on the blood of Alkali Flat began to circulate. Next door to the old woman's the big saloons were in a riot. Glasses clinked, loud-lunged laughter and demoniac yells mixed with the strained piano, over which untrained fingers banged and pirouetted. Dancers bounded to the snapping fiddle tones of "Old Black Jack." The chips on the faro table clattered, the red-and-black man howled, while from the streets at times came drunken whoops, mingled with the haw-haws of mules over in the quartermaster's corral.

Madam looked toward the Captain, saying, "Did you ever hear so much noise in your life?"

"Not since Gettysburg," replied the addressed. "My tastes are quiet, but I should think Gettysburg the more enjoyable of the two. But I suppose these people really think this kind of thing is great fun."

"Yes: they live so quiet out in the hills that they like to get into this bedlam when they are in town. It sort of stirs them up," explained the hostess.

"Do they never trouble you, madam?"

"No—except for this noise. I have had bullets come in here, but they wasn't meant for me. They get drunk outside and shoot wild sometimes. I tell the boys plainly that I don't want none of them to come in here drunk, and I don't care to do any business after supper. They don't come around here after dark much. I couldn't stand it if they did. I would have to pull up."

A drunken man staggered to the door of the little hotel, saw the madam behind

the bar, received one look of scorn, and backed out again with a muttered, "Scuse me, lady; no harm done."

Presently in rolled three young men, full of the confidence which far too much liquor will give to men. They ordered drinks at the bar roughly. Their Derby hats proclaimed them Easterners: railroad tramps or some such rubbish, thought the Captain. Their conversation had the glib vulgarity of the big cities, with many of their catch-phrases, and they proceeded to jolly the landlady in a most offensive way. She tried to brave it out, until one of them reached over the bar and chuckled her under the chin. Then she lifted her apron to her face and began to cry.

The wise mind of the Captain knew that society at Alkali Flat worked like a naphtha-engine—by a series of explosions. And he saw a fearful future for the small bar-room.

Rising, he said, "Here, here, young men, you had better behave yourselves, or you will get killed."

Turning with a swagger, one of the hoboes said, "Ah! whose 'll kill us, youse — — —?"

"No, he won't!" This was shouted in a resounding way into the little room, and all eyes turned to the spot from which the voice came. Against the black doorway stood Dan Dundas—the gambler who ran the faro lay-out next door, and in his hands were the Colts levelled at the toughs, while over them gleamed steadily two bright blue eyes like planetary stars against the gloom of his complexion. "No, he won't kill yu'; he don't have to kill yu'. I will do that."

With a hysterical scream the woman flew to her knight-errant. "Stop—stop that, Dan! Don't you shoot—don't you shoot, Dan! If you love me, Dan, don't, don't!"

With the quiet drawl of the Southwest the man in command of the situation replied: "Well, I reckon I'll sure have to, little woman. Please don't put your hand on my guns. Maybeso I won't shoot, but, Helen—but I ought to, all right. Hadn't I, Captain?"

Many heads lighted up the doorway back of the militant Dan, but the Captain blew a whiff of smoke toward the ceiling and said nothing.

The three young men were scared rigid.

They held their extremities as the quick situation had found them. If they had not been scared, they would still have failed to understand the abruptness of things; but one of them found tongue to blurt:

"Don't shoot! We didn't do nothin', mister."

Another resounding roar came from Dan—"Shut up!" And the quiet was opaque.

"Yes," said the Captain, as he leaned on the billiard table, "you fellows have got through your talking. Any one can see that," and he knocked the ash off his cigar.

"What did they do, Helen?" And Dan bent his eyes on the woman for the briefest of instants.

Up went the apron to her face, and through it she sobbed, "They chucked me under the chin, Dan, and—and one of them said I was a pretty girl—and—"

"Oh, well, I ain't sayin' he's a liar, but he 'ain't got no call fer to say it. I guess we had better get the committee and lariat 'em up to a telegraph pole—sort of put 'em on the Western Union line—or I'll shoot 'em. Whatever you says goes, Helen," pleaded justice amid its perplexities.

"No, no, Dan! Tell me you won't kill 'em. I won't like you any more if you do."

"Well, I sure ought to, Helen. I can't have these yer hoboos comin' round here insultin' of my girl. Now you allow that's so, don't yu'?"

"Well, don't kill 'em, Dan; but I'd like to tell 'em what I think of them, though."

"Turn her loose, Helen. If yu' feel like talkin', just you talk. You're a woman, and it does a woman a heap of good to talk; but if yu' don't want to talk, I'll turn these guns loose, or we'll call the committee without no further remarks—jes as yu' like, Helen. It's your play."

The Captain felt that the three hoboos were so taken up with Dan's guns that Helen's eloquence would lose its force on them. He also had a weak sympathy for them, knowing that they had simply applied the low street customs of an Eastern

city in a place where customs were low enough, except in the treatment of decent women.

While Dan had command of the situation, Helen had command of Dan, and she began to talk. The Captain could not remember the remarks—they were long and passionate—but as she rambled along in her denunciation, the Captain, who had been laughing quietly, and quizzically admiring the scene, became suddenly aware that Dan was being more highly wrought upon than the hoboos.

He removed his cigar, and said, in a low voice, "Say, Dan, don't shoot; it won't pay."

"No?" asked Dan, turning his cold, wide-open blue eyes on the Captain.

"No; I wouldn't do it if I were you; you are mad, and I am not, and you had better use my judgment."

Dan looked at the hoboos, then at the woman, who had ceased talking, saying, "Will I shoot, Helen?"

"No, Dan," she said, simply.

"Well, then," he drawled, as he sheathed his weapons, "I ain't goin' to trifle round yer any more. Good-night, Helen," and he turned out into the darkness.

"Oh, Dan!" called the woman.

"What?"

"Promise me that no one kills these boys when they go out of my place; promise me, Dan, you will see to it that no one kills them. I don't want 'em killed. Promise me," she pleaded out of the door.

"I'll do it, Helen. I'll kill the first man what lays a hand on the doggoned skunks;" and a few seconds later the Captain heard Dan, out in the gloom, mutter, "Well, I'll be d——!"

A more subdued set of young gentlemen than followed Dan over to the railroad had never graced Alkali Flat.

Dan came back to his faro game, and sitting down, shuffled the pack and meditatively put it in the box, saying to the case-keeper, "When a squar' woman gets in a game, I don't advise any bets."

But Alkali Flat saw more in the episode than the mere miscarriage of justice: the excitement had uncovered the fact that Dan Dundas and Helen understood each other.